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Message Text

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71
ACTION COME-00

INFO OCT-01 ARA-16 EUR-25 IO-14 ISO-00 AGR-20 CEA-02

CIAE-00 DODE-00 EB-11 FRB-02 H-03 INR-10 INT-08 L-03

LAB-06 NSAE-00 NSC-10 PA-04 RSC-01 AID-20 CIEP-02

SS-20 STR-08 TAR-02 TRSE-00 USIA-15 PRS-01 SPC-03

OMB-01 DRC-01 /209 W
---------- 121722
R 162120Z OCH 73
FM AMEMBASSY PORT AU PRINCE
TO SECSTATE WASHDC 7135
INFO AMEMBASSY PARIS
USMISSION GENEVA

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E.O. 11652: N/A
TAGS: ETRD, HA, EIND
SUBJECT: HAITIAN TARIFF PREFERENCE ON FRENCH WINES

REF: STATE 191797

1. THERE WAS NO COMMERCIAL AGREEMENT BETWEEN FRANCE AND HAITI AT THE TIME OF HAITI'S GATT ACCESSION. COPY OF 1951 AGREEMENT BEING POUCHED.

2. ACCORDING TO A HAITIAN CUSTOMS OFFICIAL WHO SEEMS ACQUAINTED WITH THE REQUIREMENTS OF THE GATT, HAITI, IN ACCORDANCE WITH THENPEQUIREMENTS OF ARTICLE 1 OF THE GATT APPLIES THE TARIFFS NEGOTIATED IN THE SPECIAL AGREEMENT WITH FRANCE TO ALL COUNTRIES TO WHICH GOH EXTENDS MOST-FAVORED NATION TREATMENT. THE MINIMUM, OR MOST FAVORED NATION TARIFF (PART 3 OF THE HAITIAN TARIFF SCHEDULES AS PUBLISHED IN THE ANNEX TO LE MONITEUR OF OCT.2, 1961) LISTS BOTH THE RATE NEGOTIATED UNDER THE GATT AND THE RATE NEGOTIATED WITH
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FRANCE FOR A SPECIFIC ITEM. FOR EXAMPLE, CUSTOMS ITEM NO. 22.05.02 SHOWS THE RATE NEGOTIATED WITH FRANCE, AND ITEM NO. 22.05.03 SHOWS THE RATE NEGOTIATED UNDER GATT. THE DESCRIPTIONS OF THE TWO ITMES ARE IDENTICAL, HOWEVER, AND THE HAITIAN OFFICIAL STATED THAT THE FIRST RATE (ITEM 22.05.02) WOULD BE APPLIED TO IMPORTS FROM ALL COUNTRIES SO LONG AS THE COMMERCIAL AGREEMENT WITH FRANCE REMAINS IN EFFECT. IF THAT AGREEMENT WERE CANCELLED, THEN THE GATT RATE (ITEM NO. 22.05.03) WOULD BE IN EFFECT FOR ALL COUNTRIES. EMBOFF WAS INFORMED THAT WINE FROM ITALY AND FROM CHILE HAVE ENTERED HAITI UNDER THE RATE NEGOTIATED IN THE FRENCH/HAITIAN COMMERCIAL TREATY.

3. AMERICAN WINES CANNOT, AT THE MOMENT, ENTER UNDER THE LOWER RATE BECAUSE THEY CANNOT MEET THE CONDITIONS DESCRIBED. WINE ENTERING UNDER THE ABOVE LISTED CUSTOMS ITEM NUMBERS MUST, FOR EXAMPLE, BE OVER 14 PERCENT ALCOHOL, BE IN A SEALED BOTTLE, BE A WINE BENEFITTING FROM A CONTROLLED APPELLATION OF ORIGIN, AND BE ACCOMPANIED BY A CERTICICATE OF ORIGIN WHICH IS ACCEPTABLE TO HAITIAN CUSTOMS. HAITI HAS AGREED TO SUPPORT AND PROTECT FRENCH APPELLATIONS OF ORIGINS AND WILL NOT PERMIT THE IMPORTATION OF CHAMPAGNES OR BURGUNDIES, FOR EXAMPLE, FROM ANY COUNTRY OTHER THAN FRANCE.

4. ALTHOUGH AMERICAN BURGUNDIES, CHAMPAGNES, ETC., COULD NOT BE IMPORTED SOME AMERICAN BRAND WINES (SUCH AS EMERALD DRY, FOR EXAMPLE) MIGHT BE ELIGIBLE FOR THE LOWER DUTY IF THE HAITIAN GOVERNMENT WERE CONVINCED THAT THE CONTROLS ON THE APPELLATION OF THE WINE MET HAITIAN REQUIREMENTS AND IF THE US GOVERNMENT WERE TO ISSUE A CERTIFICATE OF ORIGIN. OTHERWISE SUCH WINES WOULD HAVE TO ENTER UNDER ITEM 22.05.04, "OTHERS" PAYING A DUTY OF 42.55 PERCENT COMPARED TO 9.18 PERCENT.
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*** Current Classification *** LIMITED OFFICIAL USE

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Message Attributes

Automatic Decaptioning: X
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Control Number: n/a
Copy: SINGLE
Draft Date: 16 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: willialc
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
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ISecure: 1
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Review Event:
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TAGS: EIND, ETRD, FR, HA
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Type: TE
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